

1 SCOTT N. SCHOOLS (SCSBN 9990)  
2 United States Attorney

Filed

SEP 04 2007

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 JUAN MOSQUEDA-TINOCO,  
15 a/k/a, JUAN MANUEL MOSQUEDA,

16 Defendant.

No. CR 07 00570

VIOLATION: 8 U.S.C. § 1326 -  
Illegal Re-entry Following Deportation

SAN JOSE VENUE

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18 INFORMATION  
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20 The United States Attorney charges:

21 On or about September 1, 2006, the defendant

22 JUAN MOSQUEDA-TINOCO,

23 an alien, previously having been arrested and deported from the United States on or about  
24 September 15, 2003, was found in the Northern District of California, the Attorney  
25 General of the United States and the Secretary for Homeland Security not having  
26 expressly consented to a reapplication by the defendant for admission into the United

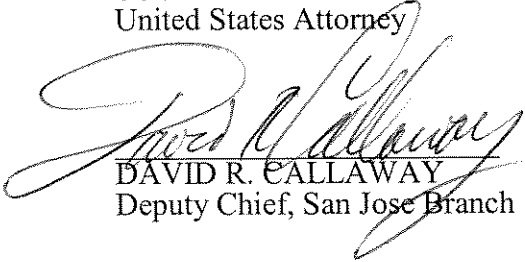
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INFORMATION

1 States, in violation of Title 8, United States Code, § 1326.

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3 DATED: 9/4/07

4 SCOTT N. SCHOOLS  
United States Attorney

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7 DAVID R. CALLAWAY  
Deputy Chief, San Jose Branch

8  
9 Approved as to form: Benjamin Kennedy

SAUSA Benjamin Kennedy

AO 257 (Rev. 6/78)

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**BY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT  
☐ SUPERSEDING**OFFENSE CHARGED**

Title 8, U.S.C. § 1326 - Illegal Re-Entry Following Deportation

☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony**PENALTY:**20 years imprisonment  
\$250,000 fine  
3 years supervised release  
\$100 special assessment fee

CR 07 00570

Name of District Court, and/or Judge/Magistrate Location  
NORTHERN DISTRICT OF CALIFORNIA**DEFENDANT - U.S.**

JUAN MOSQUEDA-TINOCO aka JUAN MANUEL MOSQUE DA

DISTRICT COURT NUMBER

SEP 04 2007

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE**PROCEEDING**

Name of Complainant Agency, or Person (&amp; Title, if any)

ICE

☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:☐ U.S. Att'y ☐ Defense☐ this prosecution relates to a pending case involving this same defendant☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded underSHOW  
DOCKET NO.MAGISTRATE  
CASE NO.Name and Office of Person  
Furnishing Information on  
THIS FORM

SCOTT N. SCHOOLS

☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y  
(if assigned)

BENJAMIN KENNEDY

**DEFENDANT****IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges

☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

Has detainer  
been filed?☐ Yes  
☐ NoIf "Yes"  
give date  
filed**DATE OF  
ARREST**

Month/Day/Year

Or... if Arresting Agency &amp; Warrant were not

**DATE TRANSFERRED  
TO U.S. CUSTODY**

Month/Day/Year

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☒ NO PROCESS\* ☐ WARRANT Bail Amount: \_\_\_\_\_

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: \_\_\_\_\_

\*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: \_\_\_\_\_

Before Judge: \_\_\_\_\_

Comments: \_\_\_\_\_